

## UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

JESSICA MICHELLE BROWN,

Petitioner

v.

STATE OF NEVADA, *et al.*,

Respondents

Case No. 2:23-00183-CDS-EJY

ORDER

[ECF No. 1]

Petitioner Jessica Michelle Brown has submitted a *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. ECF No. 1-1. This habeas matter is before the court on petitioner's application to proceed *in forma pauperis*. ECF No. 1.

Under 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal district court. The court may authorize a person to begin an action without prepaying fees and costs if the person demonstrates poverty through an IFP application. A prisoner's IFP application must be submitted on the court's form and include specific financial information: (1) a copy of the prisoner's account statement for the six-month period prior to filing, (2) a financial certificate signed by the prisoner *and* an authorized prison official, and (3) the prisoner's financial acknowledgement confirming under the penalty of perjury that the financial information is true. 28 U.S.C. § 1915; LSR 1-1, LSR 1-2.

Here, petitioner has requested IFP status to waive her filing fee. However, her application is incomplete because she did not use the Court's approved application form. Rather, petitioner used a form designed for a state court. Petitioner's IFP application lacks the appropriate financial information and documentation required by § 1915(a) and the Local Rules and is therefore denied without prejudice. She will have 45 days from the date of this order to either pay the \$5.00 filing fee or submit a complete IFP application with all required attachments.

1 It is therefore ordered that petitioner Jessica Michelle Brown's application to proceed in  
2 *forma pauperis* (ECF No. 1) is denied without prejudice.

3 The Clerk of Court shall retain, but not file at this time, the petition for writ of habeas  
4 corpus (ECF No. 1-1), and send petitioner a blank IFP application for an inmate, instructions for  
5 the same, and a courtesy copy of her application to proceed *in forma pauperis* (ECF No. 1).

6 It is further ordered that petitioner must file a complete IFP application within 45 days  
7 from the date of this order which must include: (i) a financial certificate signed by petitioner *and*  
8 an authorized prison official, (ii) petitioner's financial affidavit and acknowledgement, and (iii)  
9 a statement of petitioner's inmate trust account for the six-month period prior to filing.

10 Alternatively, petitioner must pay the \$5 filing fee within 45 days from the date of this order.

11 The initial screening of petitioner's petition under the Rules Governing Section 2254  
12 Cases in the United States District Courts is deferred to until such time as she has fully  
13 complied with this order.

14 Petitioner's failure to comply with this order by submitting a completed IFP application  
15 with the required documents, or paying the filing fee, before the deadline will result in the  
16 dismissal of the petition without prejudice and without further advance notice.

17 DATED: February 24, 2023

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UNITED STATES DISTRICT JUDGE